

**SETON HALL UNIVERSITY SCHOOL OF LAW
CONFLICT MANAGEMENT PROGRAM**

One Newark Center, Office 428
Newark, New Jersey 07102
973.642.8084 [Office]



March 25, 2022

Via Electronic Mail Only

Hon. Sharon A. King, U.S.M.J.
United States District Court
District of New Jersey
Mitchell H. Cohen Building & United States Courthouse
4th & Cooper Streets
Camden, New Jersey 08101
Chambers_of_Magistrate_Judge_Sharon_King@njd.uscourts.gov

**Re: *Hannah v. Administrator, Albert C. Wagner Youth Correctional Facility, et al.*
District of New Jersey Case No. 1:17-cv-08066 (KMW)(SAK)**

Your Honor:

The Seton Hall University School of Law Settlement Conference Advocacy Program (“Seton Hall”) represents Plaintiff Karon Hannah (“Plaintiff Hannah”) in the above-captioned civil action for the limited and exclusive purpose of court-annexed settlement. With the consent of New Jersey Deputy Attorney General Michael Ezra Vomacka (“DAG Vomacka”), the undersigned submits this letter to apprise the Court of recent developments which affect the settlement conference currently calendared for Monday, March 28, 2022 at 2:00pm (“Settlement Conference”).

On February 14, 2022, the undersigned spoke with Plaintiff Hannah, who is currently incarcerated at the New Jersey Department of Corrections Northern State Prison (“NSP”). He orally accepted Seton Hall’s offer of *pro bono* representation.

On February 15, 2022, Seton Hall student advocates Michael D. Fasciale and Kenneth D. Freid teleconferenced with DAG Vomacka to open lines of settlement dialogue.

On February 23, 2022, Seton Hall sent a draft version of the confidential, *ex parte* settlement conference letter (“Settlement Conference Submission”) to Plaintiff Hannah via United States First Class Mail.

On February 24, 2022, Seton Hall again spoke with Plaintiff Hannah by phone. During that discussion, he authorized Seton Hall to convey an initial settlement demand (“Initial Demand”) to DAG Vomacka.

By email of March 1, 2022, Seton Hall communicated Plaintiff Hannah’s Initial Demand to DAG Vomacka.

On March 14, 2022, Seton Hall expected to speak with Plaintiff Hannah by phone. The discussion did not occur, as Plaintiff Hannah refused to come to the phone.

Hon. Sharon A. King, U.S.M.J.

Page 2 of 2

Seton Hall subsequently requested NSP staff to produce Plaintiff Hannah on March 17, 2022. On that date, NSP informed the undersigned that Plaintiff Hannah would not appear because he was in medical quarantine due to exposure to the novel coronavirus COVID-19.

Earlier today, DAG Vomacka and I participated in a telephone call with NSP Administration to ensure Plaintiff Hannah's timely appearance at the Settlement Conference. NSP Administration informed DAG Vomacka and the undersigned that Plaintiff Hannah is presently in "Close Watch," having been in "Continuous Watch" since on or about March 14, 2022. His condition is in a state of day-to-day flux. In consequence, NSP is unable to confirm that Plaintiff Hannah will appear at the Settlement Conference.

Because of his quarantine status, Seton Hall has been unable to speak with Plaintiff Hannah to review the Settlement Conference Submission. Seton Hall therefore lacks authority to submit the document to the Court.

Seton Hall conferred with DAG Vomacka today. The parties request the Court to convert the Settlement Conference to a status conference. The repurposed time will likely yield universal benefit.

Seton Hall joins DAG Vomacka in thanking the Court for its consideration.

Respectfully submitted,

/s David Michael White
David Michael White, Esq.
Pro Bono Supervising Attorney
david.white@shu.edu

cc: Deputy Attorney General Michael Ezra Vomacka (*Counsel for Defendants*)
Michael D. Fasciale (*Student Advocate for Plaintiff Karon Hannah*)
Kenneth D. Freid (*Student Advocate for Plaintiff Karon Hannah*)